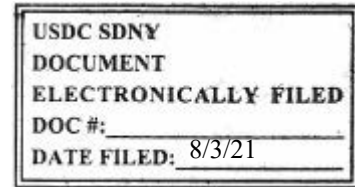


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Robert Derek Lurch, Jr.,

Plaintiff,

—v—

The City of New York, et al.,

Defendants.

19-cv-11253 (AJN) (KHP)

ORDER

ALISON J. NATHAN, District Judge:

This action was filed on December 5, 2019. Motions to dismiss were filed by Defendants Kimpton Muse Hotel and the City of New York on March 23, 2020 and May 5, 2020, respectively. This Court granted both motions on March 31, 2021. Dkt. No. 78.

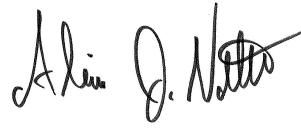
On April 22, 2021 the Unnamed Staff at the hotel filed a renewed motion to dismiss. Dkt. No. 85. Plaintiff's opposition was due on May 14, 2021, but he failed to file any opposing papers by the deadline. Dkt. No. 93. In light of Plaintiff's *pro se* status, Judge Parker extended the deadline for Plaintiff's response to June 14, 2021 but warned that failure to respond could result in dismissal for failure to prosecute. Dkt. No. 93. To date, Plaintiff has not responded and subsequent attempts to send filings to Plaintiff have resulted in returned mail.

Plaintiff is hereby ORDERED to either oppose Defendants' motion to dismiss or file a letter indicating that he does not intend to file an opposition brief to the motion by September 10, 2021. Plaintiff is warned that failure to respond by September 10, 2021, will result in dismissal of his claims for failure to prosecute.

The Court also respectfully requests that the Clerk of Court send a copy of this Order to the *pro se* Plaintiff at his latest address of record and note the mailing on the public docket.

SO ORDERED.

Dated: August 3, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", with a long horizontal stroke extending to the right.

ALISON J. NATHAN
United States District Judge